

**Proposed Substitute
Bill No. 948**

LCO No. 5960

**AN ACT INCREASING OPPORTUNITIES FOR SMALL CONTRACTORS
AND MINORITY BUSINESS ENTERPRISES UNDER THE SET-ASIDE
PROGRAM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (i) of section 4a-60g of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2015*):

4 (i) In lieu of a performance, bid, labor and materials or other
5 required bond, (1) a contractor or subcontractor awarded a contract
6 under this section may provide to the awarding authority, and the
7 awarding authority shall accept a letter of credit, [Any] provided any
8 such letter of credit [shall be] is in an amount equal to ten per cent of
9 the contract for any contract that is less than one hundred thousand
10 dollars and in an amount equal to twenty-five per cent of the contract
11 for any contract that exceeds one hundred thousand dollars; or (2) the
12 Commissioner of Administrative Services may waive any such bond
13 requirements for the award of a contract under this section by the
14 commissioner that is less than five hundred thousand dollars to a
15 contractor or subcontractor certified under this section who (A) has
16 been selected to be on a list established pursuant to subdivision (5) of
17 subsection (a) of section 4b-91, and (B) has applied for a waiver in the
18 form and manner prescribed by the commissioner. The commissioner

19 shall determine whether to grant such waiver based on objective
20 criteria, including, but not limited to, (i) the applicant's past
21 performance on projects of a similar size, scope and complexity; (ii) the
22 applicant's compliance with financial obligations applicable to
23 construction projects; and (iii) the size, scope and complexity of the
24 specific project for which the applicant is seeking a waiver. The
25 commissioner shall adopt regulations in accordance with the
26 provisions of chapter 54 establishing procedures and criteria for the
27 application and waiver process.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2015</i>	4a-60g(i)
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